REMARKS

In the Office Action, the Examiner objected to claims 4-6 and 11-12 as only depicting what is old and requiring a drawing or a replacement drawing; rejected claims 1, 4-8, and 11-13 under 35 U.S.C. §112, second paragraph for indefiniteness; rejected claims 1, 5, 6, 8, 11-12, and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,104,929 to Josse et al. (Josse) in view of U.S. Patent No. 7,310,331 to Sjoblom; rejected claims 4 under 35 U.S.C. § 103(a) as being unpatentable over Josse, Sjoblom, in view of U.S. Patent No. 6,735,834 to Miettinen et al. (Miettinen); and rejected claims 7 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Josse, Sjoblom, in view of U.S. Patent No. 6,792,270 to Neumann.

By this amendment, Applicants amend claims 1, 4-8, and 11-13 to improve form and/or more clearly define the features of those claims. Applicants submit that no new matter has been added.

Claims 1, 4-8, and 11-13 are currently pending.

Regarding the objections to claims 4-6 and 11-12 with respect to the "new serving system node," Applicants submit that the amendment made herewith obviate the basis of the objection.

Regarding the drawings, Applicants disagrees that FIGS. 2-3 depict "prior art" and nowhere does Applicants state that FIGS. 2-3 are prior art. Indeed, some of the messages of FIGs. 2-3 are described in the instant specification as having different content, and some of the messages are sent to a law enforcement monitoring system. Moreover, the MS of FIGs. 2 and 3 are described as being intercepted by the law

enforcement monitoring system, which is also not prior art as alleged by the Examiner.

For at least these reasons, the objections to the drawings should be withdrawn.

Regarding the rejection under 35 U.S.C. § 112, second paragraph, Applicants

submit that the amendments made herewith obviate the basis of the rejection.

The Examiner rejected claims 1, 5, 6, 8, and 11-12 under 35 U.S.C. § 103(a) as

being unpatentable Josse in view of Sjoblom. Applicants respectfully traverse this

rejection.

Claim 1 defines a method comprising:

detecting, at a new serving system node, a serving system node change request from a target being intercepted by a law enforcement monitoring system comprising an interception system, wherein the new serving system node is not currently serving the target, wherein the target is roaming in a visited network being served by the new serving system node and an old serving system node currently serving the target is located at a home network;

processing the serving system node change request at the new serving system node currently not serving the target, wherein the processing comprises the inclusion, to the serving system node change request, of a serving system address of the new serving system node currently not serving the target;

forwarding the processed serving system node change request to [[an]] the old serving system node currently serving the target to enable the old serving system node to inform the interception system of the serving system address of the new serving system node currently not serving the target;

detecting whether there is at least one currently active packet data protocol context for the target at the new serving system node currently not serving the target;

generating, when there is at least one currently active packet data protocol context, a packet data protocol context update request including the serving system address of the new serving system node currently not serving the target; and

forwarding the generated packet data protocol context update request to a gateway serving system node currently serving the target, wherein the gateway serving system node forwards the generated packet data protocol context update request to the interception system.

In some implementations of claim 1, the request message sent from the new SGSN to the old SGSN includes the serving system address of the new serving system node of the target being tracked by the law enforcement monitoring/interception system. As such, the old SGSN can directly inform a law enforcement system of this new information before the change. Moreover, the new SGSN checks whether there is a currently active packet data protocol context for the target, and if so, generates a packet data protocol context update request which is forwarded to the serving GGSN to inform the law enforcement system.

Josse discloses a data packet radio service with enhanced mobility management. Josse also discloses the use of an allegedly "new" GPRS Tunneling Protocol message to provide an update when a routing area update is sent by the mobile (e.g., during power up). Josse, col. 11, lines 21-43. But Josse fails to recognize the need to track targets, such as a mobile station or user equipment, much less the need for a law enforcement agency and an interception system of the target. Thus, although Josse describes a protocol for inter-SGSN routing area updates (FIG. 4A) and the corresponding messages depicted at FIG. 4A, Josse is completely silent with respect to the protocol recited in claim 1, much less a protocol to inform an interception system of serving system information (e.g., the serving system address of the new serving system node) when roaming occurs from a home network to a visited network.

In view of the foregoing, Josse fails to disclose or suggest a target interception protocol with double detecting, i.e., "detecting, at a new serving system node, a serving system node change request from a target being intercepted by a law enforcement monitoring system comprising an interception system, wherein the new serving system

node is not currently serving the target, wherein the target is roaming in a visited network being served by the new serving system node and an old serving system node currently serving the target is located at a home network;" and "detecting whether there is at least one currently active packet data protocol context for the target at the new serving system node currently not serving the target."

Because Josse is silent with respect to a law enforcement monitoring system comprising an interception system, Josse also fails to disclose or suggest "forwarding the generated packet data protocol context update request to a gateway serving system node currently serving the target, wherein the gateway serving system node forwards the generated packet data protocol context update request to the interception system."

Moreover, although Sjoblom discloses a mechanism to order packets in a system associated with a law enforcement intercept system, Sjoblom fails to cure the above-noted shortcomings of Josse. For example, although Sjoblom discloses that the law enforcement intercept system may be coupled to a GSN, Sjoblom suffers from the same deficiencies as Josse, i.e., offering no clue with respect to providing a protocol to inform an interception system of serving system of the target information, much less a protocol with double "detecting" as recited above in claim 1.

In view of the foregoing, claim 1 is allowable over Josse and Sjoblom, whether taken alone or in combination, and the rejection of claim 1 as well as claims 5 and 6, at least by reason of their dependency, under 35 U.S.C. § 103(a) should be withdrawn.

Independent claim 8, although of different scope, includes features similar to those noted above with respect to claim 1. For at least the reasons given above with respect to claim 1, claim is allowable over Josse and Sjoblom, whether taken alone or in

combination, and the rejection under 35 U.S.C. § 103(a) of claim 8 as well as claims 11-12, at least by reason of their dependency, should be withdrawn for this additional reason.

Regarding the motivation to combine, the Examiner's modifications of Josse and Sjoblom fundamentally change the principal of operation of those references. For example, Sjoblom relates to a very specific type of protocol related to reconstructing the order of packets being intercepted. Sjoblom at col. 2, lines 49-62 and col. 3, lines 20-22. For example, rather than detecting a packet data protocol and informing a GGSN and a law enforcement monitoring system, Sjoblom merely discloses using the packet data protocol to obtain session identification information. See, e.g., Sjoblom at claim 10. Thus, inserting Sjoblom into Josse, as proposed by the Examiner, merely provides Josse with sequencing rather than the features of claim 1 unless the Examiner substantially modifies Sjoblom and Josse. The Examiner's modification would thus run afoul of M.P.E.P 2143.03 which states "[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious. In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)." Therefore, the rejection under 35 U.S.C. § 103(a) of rejected claims 1, 5, 6, 8, and 11-12 should be withdrawn for this additional reason.

The Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Josse, Sjoblom, in view of Miettinen. Applicants respectfully traverse this rejection.

Claim 4 depends from claim 1 and includes all of the features recited therein. For at least the reasons noted above with respect to claim 1, claim 4 is allowable over

Josse and Sjoblom. ***Because Miettinen and the instant application were commonly owned by Nokia Corporation, Miettinen does not constitute prior art under 35 U.S.C. §103(c).*** [1] Therefore, claim 4 is allowable over Josse, Sjoblom, and Miettinen, whether taken alone or in combination, and the rejection of claim 4 under 35 U.S.C. § 103(a) should be withdrawn.

The Examiner rejected claims 7 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Josse, Sjoblom, in view of Neumann. Applicants respectfully traverse this rejection.

Claim 7 depends from claim 1 and includes all of the features recited therein. For at least the reasons noted above with respect to claim 1, claim 7 is allowable over Josse and Sjoblom. Claim 13, although of different scope, includes features similar to those of claim 7. Moreover, although Neumann discloses paging, it fails to cure the above-noted deficiencies of Josse and Sjoblom. Therefore, claim 7 and 13 are allowable over Josse, Sjoblom, and Neumann, whether taken alone or in combination, and the rejection of claim 4 under 35 U.S.C. § 103(a) should be withdrawn.

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[1] In relevant part, 35 U.S.C. §103© states: "(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person."
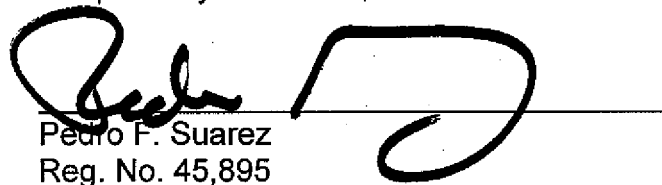
CONCLUSION

It is believed that all of the pending claims have been addressed in this paper.

However, failure to address a specific rejection, issue or comment, does not signify

agreement with or concession of that rejection, issue or comment. In addition, because

the arguments made above are not intended to be exhaustive, there may be reasons for

patentability of any or all pending claims (or other claims) that have not been expressed.

Finally, nothing in this paper should be construed as an intent to concede any issue with

regard to any claim, except as specifically stated in this paper, and the amendment of

any claim does not necessarily signify concession of unpatentability of the claim prior to

its amendment.

No fees are believed to be due, however the Commissioner is authorized to

charge any additional fees or credit overpayments to Deposit Account No. 50-0311,

reference No. 39700-582N01US/ NC16997US. If there are any questions regarding this

reply, the Examiner is encouraged to contact the undersigned at the telephone number

provided below.

Respectfully submitted,

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